

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Boulder, Colorado 80537-0599

ATTORNEY DOCKET NO. 10031551-1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Bill J. Peck et al.

Serial No.: 10/813,467

Examiner: Unassigned

Filing Date: Mar 29, 2004

Group Art Unit: 1634

Title: Methods For In Situ Generation Of Nucleic Acid Arrays

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- (a) ☒ Under 37 CFR 1.97(b).
(Within three months of filing national application; or date of entry of national application; or before mailing date of first Office action on the merits; whichever occurs last).
- (b) ☐ Under 37 CFR 1.97(c) together with *either* a:
☐ Statement under CFR 1.97(e), or
☐ \$180.00 fee under 37 CFR 1.17(p).
(After the CFR 1.97(b) time period, but before a final action or notice of allowance, whichever occurs first).
- (c) ☐ Under 37 CFR 1.97(d) together with: a
Statement under 37 CFR 1.97(e), *and*
\$180.00 fee as set forth in 37 CFR 1.17(p).
(After a final action or notice of allowance, whichever occurs first, but before payment of the issue fee).

☐ STATEMENT UNDER 37 CFR 1.97(e)

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☐ PRIOR APPLICATIONS

References identified with an asterisk (*) in the enclosed PTO Form 1449, were disclosed in prior Patent Application No. , filed , now U.S. Patent No. , and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

☐ FOREIGN LANGUAGE DOCUMENTS

A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

☒ **FEE AUTHORIZATION**

Please charge to Deposit Account **50-1078** the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

I hereby certify that this correspondence is being deposited with the United States Postal Service as:

☒ First Class Mail

☐ "Express Mail Post office to Addressee" service under 37 CFR 1.10.

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Date of Deposit: 03/01/2006

In an envelope addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria VA 22313-1450.

OR

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Elizabeth Miller

Signature: Elizabeth Miller

Respectfully submitted,

Bill J. Peck et al.

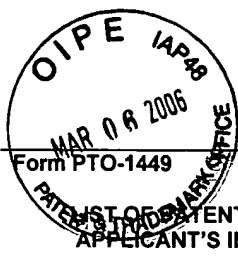
By

Bret E. Field for Herbert R. Schulze
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 03/01/2006

Telephone No. 650-327-3400



Form PTO-1449

**LIST OF REFERENCES AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT**

(Use several sheets if necessary)

ATTORNEY DOCKET NO.
10031551-1

SERIAL NO.
10/813,467

APPLICANT

Bill J. Peck et al.

FILING DATE

March 29, 2004

GROUP

1634

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*	DOCUMENT NUMBER	DATE	NAME
		6,242,266	06-05-2001	Schleifer et al.
		6,323,043	11-27-2001	Caren et al.
		2001/0010916	08-02-2001	Scheifer et al.
		2002/0064889	05/30/2002	Caren et al.

FOREIGN PATENT DOCUMENT

		DOCUMENT NUMBER	DATE	NAME	TRANSLATION YES NO	
		EP 1 270 067	01-02-2003	Agilent Technologies, Inc.		

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

	Caruthers, Marvin H., "Gene Synthesis Machines; DNA Chemistry and Its Uses", SCIENCE, Vol. 230, Oct. 18, 1985, pp. 281-285.
	Gao, Xiaolian et al., "In Situ Synthesis of Oligonucleotide Microarrays", BIOPOLYMERS, Vol. 73, No. 5, March 10, 2004, pp. 579-596

EXAMINER

DATE CONSIDERED

* Copies of these references are not enclosed Pursuant to 37 CFR 1.98(d). (See accompanying IDS)

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Inventor(s): Bill J. Peck et al.

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Examiner: Unassigned

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Group Art Unit: 1634

Title: Methods For In Situ Generation Of Nucleic Acid Arrays

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

STATUS INQUIRY

Sir:

1. More than 22 months have passed since:

- ☒ NEW APPLICATIONS
The filing of this application on _____ No communication has been received from the
Patent and Trademark Office indicating action on this application.
- ☐ AMENDED APPLICATIONS
The filing of a response on _____ No further communication has been received from the
Patent and Trademark Office.
- ☐ APPEALED APPLICATION
The Appeal Brief was filed on _____
☐ An Examiner's Answer was mailed on _____
☐ A Reply Brief to the Examiner's Answer was submitted on _____
- ☐ ALLOWED APPLICATIONS
The mailing of FORM PTOL-327 and/or Examiner's Amendment on _____

2. Kindly advise the undersigned of the present status of this application, by checking the appropriate box on the next page.

Respectfully submitted,

Bill J. Peck et al.

By

Bret E. Field for Herbert R. Schulze
Attorney/Agent for Application(s)

- ☒ I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class mail in an
envelope addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria VA 22313-1450.

Date of Deposit: 03/01/2006

Typed Name: Elizabeth Miller

Signature: Elizabeth Miller

Reg. No. 37,620

Date: 03/01/2006

Telephone No. 650-327-3400

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Intellectual Property Administration
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ATTORNEY DOCKET NO. 10031551-1

STATUS INQUIRY REPLY

Serial No. 10/813,467

Group Art Unit: 1634

Filing Date: March 29, 2004

Atty. Docket No. 10031551-1

APPLICATION SERIAL NO. 10/813,467 is currently

- ☐ Assigned to Group _____ and awaits:
- ☐ Action by the Examiner
- ☐ Applicant's response to the Office Action mailed _____

APPEAL NO. _____

- ☐ Awaiting action by the Board of Appeals and Interferences.
- ☐ Date of hearing expected _____
- ☐ Decision expected _____